

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:

*The County of Summit, Ohio, et al. v. Purdue
Pharma L.P., et al.*
Case No. 18-op-45090

and

*The County of Cuyahoga v. Purdue Pharma
L.P., et al.*
Case No. 1:18-op-45004

**MDL No. 2804
Case No. 17-md-2804
Hon. Judge Dan A. Polster**

**AMERISOURCEBERGEN DRUG CORPORATION’S
FINAL AFFIRMATIVE DEPOSITION DESIGNATIONS FOR ELIZABETH GARCIA**

Pursuant to the Civil Jury Trial Order, ECF No. 1598, entered in In re National Prescription Opiate Litigation (MDL 2804) on May 1, 2019 (as amended in Judge Polster’s July 29, 2019 order), Defendant AmerisourceBergen Drug Corporation (“ABDC”) hereby submits its final affirmative deposition testimony designations for Elizabeth Garcia together with Plaintiffs’ objections and ABDC’s responses to Plaintiffs’ objections (*see* Exhibit A).

ABDC withdraws its objections to Plaintiffs’ affirmative designations ABDC’s responsive designations for Elizabeth Garcia, which were previously served, because Plaintiffs removed Ms. Garcia from their witness list dated October 5, 2019. However, if Plaintiffs were to attempt to play the deposition of Elizabeth Garcia at trial (to which ABDC would object), ABDC reserves the right to play its previously served responsive designations to this withdrawn deposition.

ABDC further reserves all rights, including all rights to revise or withdraw its affirmative deposition testimony designations for Elizabeth Garcia and its responses to Plaintiffs' objections. ABDC further reserves the right to revise or withdraw its affirmative deposition testimony designations for Elizabeth Garcia and its responses to Plaintiffs' objections based on the Court's rulings, Plaintiffs' and other individual Defendants' designations of deposition testimony, and evidence introduced at trial. ABDC also reserves the right to play, in response to deposition testimony played by Plaintiffs, any testimony they designated affirmatively. ABDC also reserves the right to play any testimony Plaintiffs have designated.

By submitting these final affirmative deposition testimony designations for Elizabeth Garcia together with Plaintiffs' objections and ABDC's responses to Plaintiffs' objections, ABDC does not waive any objections to the use of testimony and/or exhibits or their subject matter. ABDC's inclusion of any testimony and/or exhibit within these final affirmative deposition testimony designations for Elizabeth Garcia together with Plaintiffs' objections and ABDC's responses to Plaintiffs' objections should not be construed as an admission that such testimony and/or exhibit is admissible if offered by Plaintiffs or another Defendant. ABDC expressly reserves the right to object to Plaintiffs' attempts to introduce any testimony and/or exhibit included in these final affirmative deposition testimony designations for Elizabeth Garcia together with Plaintiffs' objections and ABDC's responses to Plaintiffs' objections.

Dated: October 10, 2019

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served on October 10, 2019 via electronic transfer to all counsel of record, consistent with the Court's order.

/s/ Robert A. Nicholas
Robert A. Nicholas